

# Exhibit “A”

Plaintiff's Complaint

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1 COMP  
STEVE DIMOPOULOS, ESQ.  
2 Nevada Bar No. 12729  
MICHAEL C. LAFIA, ESQ.  
3 Nevada Bar No. 12989  
DIMOPOULOS INJURY LAW  
4 6671 South Las Vegas Boulevard, Suite 275  
Las Vegas, Nevada 89119  
5 O: (702) 800-6000  
F: (702) 224-2114  
6 ml@stevedimopoulos.com  
Attorneys for Plaintiff

CASE NO: A-21-835892-C  
Department 21

DISTRICT COURT  
CLARK COUNTY, NEVADA

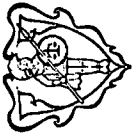
10 AISHA INISE BELL,  
11 Plaintiff,  
12 vs.

CASE NO.:  
DEPT NO.:

13 WALMART, INC., a Foreign Corporation dba  
14 WALMART; DOE WORKER, an individual; DOE  
INDIVIDUALS 1-20, inclusive; and ROE  
15 CORPORATIONS 1-20, inclusive,  
16 Defendants.

COMPLAINT

DIMOPOULOS  
INJURY LAW



17 Plaintiff, AISHA INISE BELL, by and through her counsel, STEVE DIMOPOULOS, ESQ. and  
18 MICHAEL C. LAFIA, ESQ. of DIMOPOULOS INJURY FIRM, and for her Complaint against the  
19 Defendants, and each of them alleges as follows:  
20

JURISDICTION

21  
22 1. At all times relevant hereto, Plaintiff, AISHA INISE BELL (hereinafter "Plaintiff") was  
23 a citizen of Nevada and resident of Clark County, Nevada.

24 2. Upon information and belief for all times relevant hereto, Defendant, WALMART,  
25 INC., a Foreign Corporation dba WALMART (hereinafter "Defendant"), is, and at all times  
26 mentioned herein, was a Foreign Corporation or other business entity that is incorporated and  
27  
28

1 headquartered outside of Nevada but is licensed to do business in the County of Clark, State of  
2 Nevada.

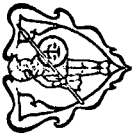
3 3. Upon information and belief, Defendant is the owner or operator of the property  
4 Store #2592, located at 1807 West Craig Road, North Las Vegas, Nevada 89032 (hereinafter  
5 referred to as the "Premises" and/or the "Property").

6 4. Upon information and belief, Defendant Doe Worker ("Doe Worker") is a citizen of  
7 Nevada and resident of Clark County. Plaintiff will ask leave of the Court to amend her Complaint  
8 to insert the true name and capacity of Doe Worker when the same have been ascertained in this  
9 action.  
10

11 5. Upon information and belief, Defendant Doe Worker was acting as an employee  
12 and/or agent of Defendant Walmart on the premises on or about June 21, 2019, in Clark County,  
13 Nevada.

14 6. That the true names and capacities, whether individual, corporate, associate or  
15 otherwise, of the Defendants DOES and/or ROE ENTITIES 1 through 20 inclusive, are presently  
16 unknown to the Plaintiff who therefore sues said Defendants by such fictitious names. Plaintiff is  
17 informed and believes and therefore alleges that the Defendants designated herein as DOE  
18 and/or ROE are legally responsible in some manner for the events and happenings herein  
19 referred to, and legally and proximately caused injuries and damages thereby to Plaintiff as herein  
20 alleged. Plaintiff requests leave of the Court to amend this Complaint to specify these Doe  
21 Defendants when their identities become known.  
22

23 7. At all material times, Defendants, and each of them, were individuals and/or  
24 entities who were and are agents, masters, servants, employers, employees, joint ventures,  
25 representatives and/or associates, and with the consent, knowledge, authorization, ratification  
26 and permission of each other. At all times relevant hereto, Defendants, and each of them,  
27 engaged in concerted acts and/or were responsible for the acts and/or omissions of themselves  
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1 and each other Defendant and held a special relationship with Plaintiff and with the other  
2 defendants, non-delegable in nature, and subject to a peculiar and high risk of harm for breach  
3 thereof. Plaintiff alleges that at least one of the Doe Defendants is believed to be the employee  
4 responsible for the protocol, maintenance and cleaning, security, safety and/or supervision of  
5 the area at issue. Plaintiff requests leave of the Court to amend this Complaint to specify the Doe  
6 Defendants when their identities become known.

7 8. That the Defendants, and each of them, are the agents, employees and/or  
8 contractors of the other Defendants, and were acting within the scope of their agency,  
9 employment and/or contract at the time and place described herein.

10 9. Plaintiff is informed and believes, and based upon such information and belief,  
11 alleges, that Defendants, DOE and/ROE ENTITIES 1 through 10, and each of them, resided, were  
12 employed and/or did business in Clark County. Defendants designated as DOE and/or ROE  
13 ENTITIES 11 through 20, are in some manner, responsible for the occurrences and injuries  
14 sustained by Plaintiff, as alleged herein.

15 10. At all times mentioned Defendants, including Doe Defendants, were the designers,  
16 contractors, maintainers, owners, managers, inspectors, supervisors, cleaners and controllers of  
17 the premises and common areas generally known as "Walmart," Store #2592, located at 1807  
18 West Craig Road, North Las Vegas, Nevada 89032.

19 11. This Court has jurisdiction over the Defendants, as Defendants are Nevada  
20 residents, Nevada entities and/or foreign corporations conducting business in the state of  
21 Nevada. Furthermore, this case involves damages in an amount in excess of \$15,000.00. Venue  
22 is proper in Clark County, State of Nevada as said incident and conduct of the Defendants  
23 occurred with Clark County, State of Nevada.

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25 ///



ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

12. On or about June 21, 2019, Plaintiff was an invitee and patron at Defendant's Property, Store #2592, located at 1807 West Craig Road, North Las Vegas, Nevada 89032.

13. That on or about said date, as Plaintiff was walking through Defendant's Property when she slipped on the wet floor of the Premises (hereinafter referred to as the "dangerous condition"). As a result, Plaintiff was injured on the premises.

14. That upon information and belief, on or about June 21, 2019, Defendants, and each of them, failed to mop, clean, and maintain the floor of the premises in a reasonably safe manner by allowing the floor to remain dangerously wet and slippery causing Plaintiff to fall and injure herself.

15. That Defendants, and each of them, should have warned or otherwise made safe the dangerous condition of the slippery floor that was created because that condition was non-obvious to Plaintiff and known to Defendant.

16. That upon information and belief, on or about June 21, 2019, Defendants owed a duty of care to all patrons on the premises to instruct, train, supervise, and monitor the employees and/or agents of Defendant, including its employees, to ensure the premises were cleaned in a reasonably safe manner.

17. That Defendants, and each of them, knew, or reasonably should have known, that the dangerous condition existed on or about the Property.

18. That Defendants failed to place signs, caution, warn, or otherwise make safe, the dangerous condition existing on or about the Property. Accordingly, Defendants negligently, carelessly, and recklessly maintained and allowed the dangerous condition to exist.

19. That upon information and belief, the dangerous condition was caused and/or created by the negligence of some or all of the named Defendants, including the DOE and ROE Defendants and/or the employee(s) and/or agent(s) of said Defendants.





1 control the premises, so as to prevent unreasonably dangerous; (b) failure to warn Plaintiff of the  
2 existing dangers; (c) failure to use feasible and reasonable means to avoid hazards; and (d) failure  
3 to instruct, train, control and /or supervise employees, and prevent them from causing and or  
4 preventing dangerous conditions.

5 28. That as a result of the above-described incident, Plaintiff suffered injuries to areas  
6 of her body, necessitating medical treatment for injuries, all of which conditions may be  
7 permanent and disabling in nature, and all to his general damages to be shown at time of trial,  
8 but in excess of \$15,000.00.

9 29. That as a result of the above-described incident, Plaintiff experienced physical and  
10 mental pain and suffering, both past and future, in an amount to be shown at time of trial, but in  
11 excess of \$15,000.00.

12 30. That Plaintiff suffered general damages, including pain, suffering, permanent  
13 disability, both past and future in an amount to be shown at time of trial, but in excess of  
14 \$15,000.00.

15 31. That prior to the injuries sustained and complained of herein, Plaintiff was an able-  
16 bodied person physically capable of engaging in all other activities for which she was otherwise  
17 suited.

18 32. As a direct and proximate result of Defendants' negligence, Plaintiff suffered great  
19 physical and mental pain, anxiety, and other damages and will continue to do so in the future.

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22 **SECOND CAUSE OF ACTION**  
23 **(Res Ipsa Loquitur)**

24 33. Plaintiff repeats, realleges, and incorporates by reference each and every  
25 allegation contained in the foregoing paragraphs above as if fully set forth herein.

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1           34. That the incident on June 21, 2019, resulting in Plaintiff's injuries as described  
2 herein were such that, in the ordinary course of events, would have not happen in the absence  
3 of negligence.

4           35. That the Defendants, and each of them, knew or should have known that the heavy  
5 foot traffic in a Walmart store for use of patrons or guests of the establishment created an  
6 unreasonably dangerous condition to exist on the Premises.

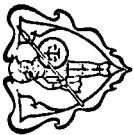
7           36. That Plaintiff was not contributorily negligence nor comparatively at fault.

8           37. That Defendants had exclusive control over all instrumentalities and  
9 circumstances involved in the dangerous condition that caused injury to Plaintiff.  
10

11           38. That Plaintiff will rely upon the doctrine res ipsa loquitur to prove that Defendants  
12 are liable for the damages to Plaintiff as herein set forth.

13           39. That as a result of the actions of Defendants, and each of them, Plaintiff has  
14 suffered damages as described in excess of \$15,000.00.

15           40. That the identities of Defendants DOES 16- 20 and ROES 16-20, are unknown at  
16 this time and may be individuals, employees, corporations, associations, partnerships,  
17 subsidiaries, holding companies, owners, predecessor or successor entities, joint venturers,  
18 parent corporations or related business entities of Defendants, inclusive, who were acting on  
19 behalf of or in concert with, or at the direction of Defendants and may be responsible for the  
20 injurious activities of the other Defendant. Plaintiff alleges that each named and Doe Defendant  
21 negligently, willfully, intentionally, recklessly, vicariously, or otherwise, caused, directed, allowed  
22 or set in motion the injurious events set forth herein. Each named Doe Defendant is legally  
23 responsible for the events and happenings stated in this Complaint, and thus proximately caused  
24 injury and damages to Plaintiff. Plaintiff requests leave of the Court to amend this Complaint to  
25 specify the Doe Defendants when their identities become known.  
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1           41. That Plaintiff has found it necessary to retain the services of an attorney to  
2 prosecute this action and is therefore entitled to reasonable attorney's fees and costs of suit  
3 incurred herein.

4                                   **THIRD CAUSE OF ACTION**  
5                                   **(Negligent Hiring, Retention, Training and Supervision)**

6           42. Plaintiff incorporates by this reference each and every allegation previously made  
7 in this Complaint, as if here fully set forth.

8           43. Defendants, and each of them, owed a duty of care to all patrons on the premises  
9 to instruct, train, supervise, and monitor the employees and/or agents of Defendant to ensure  
10 the premises were cleaned in a reasonably safe manner.

11           44. That Defendants, and each of them, breached this duty and were negligent in the  
12 selection, hiring, training, supervision and/or retention of Doe Defendants at all times relevant  
13 herein.

14           45. That Defendants knew or reasonably should have known that management was  
15 engaging in wrongful protocol, maintenance and cleaning, security, safety and/or supervision of  
16 the area at issue and were unfit for their management position.

17           46. That Defendants' management employees engaged in actions including, but not,  
18 limited to, lack of establishing a policy, deficient in directing employees to sweep, inspect,  
19 maintain, control, and clean the area where multiple patrons would gather and could cause a  
20 hazardous and/or dangerous condition.

21           47. That at all material times, Defendants knew or reasonably should have known that  
22 the conduct, acts, or failures to act of management, and the conduct, acts, or failures to act of  
23 other employees or agents of Defendant's (including Doe and Roe Defendants) that managed  
24 and supervised directly injured Plaintiff.

25           48. That at all material times, Defendants knew or reasonably should have known that  
26 the incidents and conduct of management and other employees described above, would and did  
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1 proximately result in injuries and damages to Plaintiff, including but not limited to, mental anguish  
2 and emotional distress.

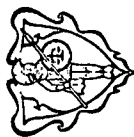
3 49. That at all material times, Defendants knew, or in the exercise of reasonable care  
4 should have known and could have reasonably foreseen, that unless Defendants intervened to  
5 protect Plaintiff, and or to adequately supervise, control, regulate, train, discipline, and/or  
6 otherwise penalize the conduct, acts, and failures to act, and/or terminate the employment of  
7 managers or employees who failed to act, such conduct would continue, thereby subjecting  
8 Plaintiff to injury and severe emotional distress, and would have the effect of encouraging,  
9 ratifying, condemning, exacerbating, increasing, and worsening the conduct, acts, and failures to  
10 act described above.  
11

12 50. That at all times Defendants had the power, ability, authority and duty to intervene,  
13 supervise, train, prohibit, control, regulate, discipline and/or penalize the conduct and/or  
14 terminate the employment of Defendants and other agents or employees described above.

15 51. That Defendants negligently failed to act so as to prevent, supervise, train, prohibit,  
16 control, regulate, discipline, and/or penalize such conduct, acts, and failures to act, or otherwise  
17 protect Plaintiff.  
18

19 52. That Defendants negligently retained management when it knew or should have  
20 known they were unfit for their position. Further Defendants willfully, recklessly, and/or  
21 negligently retained other agents, managers, and/or employees who failed to take action against  
22 managers for their wrongful conduct.

23 53. That as a direct and proximate result of the failure of Defendants to protect  
24 Plaintiff, and to adequately supervise, train, prohibit, control, regulate, discipline, and/or  
25 otherwise penalize the conduct, acts, and failures to act and/or terminate the employment these  
26 managers and other employees, such conduct, acts and failures to act had the effect of ratifying,  
27  
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1 encouraging, condoning, exacerbating, increasing, and/or worsening such conduct, acts, and or  
2 failures to act.

3 54. That as a direct and proximate result of Defendants' acts in, among other things,  
4 failing to supervise or train its agents and employees, and its retention of management and  
5 others, Plaintiff has suffered and continues to suffer severe emotional distress and has incurred  
6 and continues to incur special, general, and compensatory damages.

7 55. That pursuant to NRS 41.130, or alternatively, under the doctrine of "respondent  
8 superior" Defendants are liable to Plaintiff for their management's wrongful and tortuous acts.

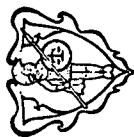
9 56. That Plaintiff has suffered and continues to suffer severe mental anguish and  
10 emotional distress, and physical injury.

11 57. That as a direct and proximate cause of Defendants' wrongful conduct, Plaintiff  
12 suffered and continues to suffer special, general and compensatory damages in excess of  
13 \$15,000.00.

14 58. That as a direct and proximate result of Defendants' wrongful conduct, Plaintiff has  
15 had to secure the services of any attorney to pursue this action, and Plaintiff should be allowed  
16 a reasonable sum for his attorney fees and costs incurred herein.

17 WHEREFORE, Plaintiffs prays judgment of this Court as follows:  
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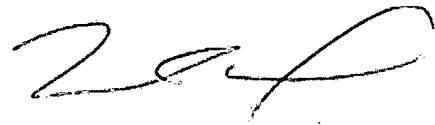
- 19
- 20 1. General damages as allowed by law;
  - 21 2. Special and/or contractual damages as allowed by law;
  - 22 3. Damages for personal injuries in an amount in excess of \$15,000.00, to  
23 include pain and suffering
  - 24 4. Damages for medical expenses incurred, both past and future, in amount to be  
25 determined at trial;
  - 26 5. Damages for lost of earnings and earning capacity incurred, both past and future,  
27 in an amount to be determined at trial;
  - 28



6. For exemplary or punitive damages in an amount sufficient to deter Defendants and other form engaging in similar conduct in an amount to adequately express social outrage over Defendants' wrongful and willful actions;
7. For any and all pre- and post-judgment interest allowed under the law;
8. Reasonable attorney's fees and costs; and
9. For such other further relief as this Court may deem just and proper.

DATED this 8<sup>th</sup> day of June, 2021.

DIMOPOULOS INJURY LAW



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STEVE DIMOPOULOS, ESQ.

Nevada Bar No. 12729

MICHAEL C. LAFIA, ESQ.

Nevada Bar No. 12989

6830 South Rainbow Boulevard, #200

Las Vegas, NV 89118

*Counsel for Plaintiff*

DIMOPOULOS  
INJURY LAW

